

IB. AMENDMENTS TO THE CLAIMS

Please enter the amendments to claims 5, 9, and 10, as shown below.

1. (Previously presented) A recombinant Modified Vaccinia Vaccine Ankara (MVA) virus comprising at least one nucleic acid coding for a *Plasmodium falciparum* merozoite surface protein-1 (MSP-1) protein or a fragment or mutein thereof.
2. (Previously presented) The recombinant MVA virus according to Claim 1, wherein the MSP-1 protein is the MSP-1 protein of the isolate 3D7 or the MSP-1 protein of the FCB1 strain.
3. (Previously presented) The recombinant MVA virus according to Claim 1, wherein the fragment is selected from the fragments p83, p30, p38, p33, p19 and p42 or combinations thereof.
4. (Previously presented) The recombinant MVA virus according to Claim 1, wherein the mutein is differentiated from the MSP-1 sequence by addition, deletion, insertion, inversion and / or substitution of one or more amino acids.
5. (Currently amended) The recombinant MVA virus according to Claim 1, wherein the nucleic acid coding for MSP-1 is reduced in its [[AT]] adenine and thymine (AT) content compared to the wild type sequence.
6. (Previously presented) The recombinant MVA virus according to Claim 1, wherein the nucleic acid coding for MSP-1 is under the control of a promoter.
7. (Previously presented) The recombinant MVA virus according to Claim 1, wherein the nucleic acid at the 5' end is fused with a nucleotide sequence coding for a signal peptide sequence.
8. (Previously presented) The recombinant MVA virus according to Claim 7, wherein the signal peptide sequence controls the secretion of the gene product.

9. (Currently amended) The recombinant MVA virus according to Claim 7, wherein the signal peptide sequence controls the localisation of the gene product relevant to the membrane.

10. (Currently amended) The recombinant MVA virus according to Claim 7, wherein the signal sequence controls the [[GPI]] glycosylphosphatidylinositol anchoring of the gene product.

11. (Previously presented) A method of production of a recombinant Modified Vaccinia Vaccine Ankara (MVA) virus, wherein the method comprises the steps:

- a) transfecting a eukaryotic host cell with a transfer vector, wherein
 - i) the transfer vector comprises a nucleic acid encoding a *Plasmodium falciparum* merozoite surface protein-1 (MSP-1) protein, or a fragment or a mutein thereof, wherein the mutein differs by the addition, deletion, insertion, inversion and / or substitution of one or more amino acids from the MSP-1 sequence; and optionally also comprises a selection marker;
 - ii) the nucleic acid according to i) is flanked by MVA sequences 5' and / or 3', wherein the sequences are suitable for the homologous recombination in the host cell;
- b) infection with a virus based on MVA, preferably MVA;
- c) cultivation of the host cell under conditions suitable for homologous recombination; and
- d) isolation of the recombinant virus based on MVA.

12. (Previously presented) The method according to Claim 11, wherein the virus is isolated from the culture supernatant or from the cultivated host cells.

13. (Previously presented) A vaccine comprising:

- a) the recombinant virus according to one of the Claims 1 to 9; and
- b) a pharmacologically compatible carrier.

14. (Previously presented) The vaccine according to Claim 13, further comprising: c) MSP-1, a fragment or a mutein thereof and / or a nucleic acid coding for MSP-1, or a fragment or mutein thereof.

15. (Previously presented) The vaccine according to Claim 14, wherein the constituents a) and c) can be administered simultaneously, sequentially or separately.

16. (Previously presented) A method for the prophylaxis and / or therapy of malaria, the method comprising administering the recombinant virus of any one of claims 1 to 9.

17. (Previously presented) A method for the prophylaxis and / or therapy of malaria, the method comprising administering: i) a recombinant virus according to one of claims 1 to 8; and ii) MSP-1, a fragment or a mutein thereof and / or a nucleic acid coding for MSP-1, or a fragment or mutein thereof.